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13 *Attorneys for Defendants*

14
15 UNITED STATES DISTRICT COURT

16 DISTRICT OF NEVADA

17 TETSUYA NAKAMURA, an individual,

Case No.: 2:22-cv-01324-MMD-EJY

18 Plaintiff,

19 v.

20 SUNDAY GROUP INCORPORATED, a
21 Delaware corporation, *et al.*,

22 **STIPULATION AND ~~PROPOSED~~
ORDER EXTENDING TIME TO
RESPOND TO COMPLAINT AND
BRIEFING SCHEDULE ON MOTION
TO DISMISS (FIRST REQUEST)**

23 Defendants.

24 Plaintiff Tetsuya Nakamura and Defendants Sunday Group Incorporated, SGI Trust,
25 Toshiki (Todd) Mitsuishi and James Pack (collectively, “Defendants”), by and through counsel,
26 hereby stipulate as follows:
27

1 WHEREAS, the above-captioned action was filed on August 15, 2022;

2 WHEREAS, Defendants each accepted service of the Complaint in this action (the
3 "Complaint") pursuant to waivers of service of summons on August 26, 2022;

4 WHEREAS, Defendants' response to the Complaint is currently due on October 25, 2022;

5 WHEREAS, Defendants have indicated to Plaintiff that they intend to move to dismiss the
6 Complaint;

7 WHEREAS, the parties now having conferred on scheduling matters have agreed to a
8 schedule for Defendants' contemplated motion to dismiss, to accommodate various scheduling
9 conflicts and holiday schedules;

10 WHEREAS, this is the first stipulation for extension of time to respond to Defendants'
11 Complaint;

12 **IT IS ACCORDINGLY STIPULATED**, pursuant to Civil L.R. 6-1 and 6-2, by and between
13 the undersigned counsel for the parties, that:

- 14
- 15 i. The deadline for Defendants to move, answer, or otherwise respond to Plaintiff's
Complaint is November 1, 2022;
 - 16 ii. In the event Defendants move to dismiss the Complaint, Plaintiff shall file any
opposition to Defendants' motion(s) no later than December 2, 2022;
 - 17 iii. In the event Defendants move to dismiss the amended complaint, Defendants
shall file any replies to Plaintiff's opposition(s) to the motion(s) to dismiss no
later than December 23, 2022.
- 18

20 Dated: October 31, 2022

21 **FENWICK & WEST LLP**

22 By: /s/Felix S. Lee

23 Felix S. Lee
Christopher J. Steskal
Casey O'Neill
Claire Mena

25 and

26 **FENNEMORE CRAIG, P.C.**

27 By: /s/John D. Tennert III

28 John D. Tennert III (Nevada Bar No. 11728)

1 Wade Beavers (Nevada Bar No. 13451)

2 Attorneys for Plaintiff
3 TETSUYA NAKAMURA

4 Dated: October 31, 2022

5 **CLYDE SNOW & SESSIONS LLP**

6 By: /s/Thomas A. Brady

7 Thomas A. Brady

Timothy R. Pack

Keith M. Woodwell

8 *and*

9 **SF FIRM, LLP**

10 By: /s/Mark L. Smith

11 Mark L. Smith (Nevada Bar. #14762)

12 Jacob L. Fonnesbeck (Nevada Bar #11961)

13 Attorneys for Defendants

14 SUNDAY GROUP INCORPORATED,

SGI TRUST, TOSHIKI (TODD) MITSUISHI

15 AND JAMES PACK

16 **ORDER**

17 IT IS SO ORDERED:

18 
19 HONORABLE ELAYNA J. YOUCAH
20 UNITED STATES MAGISTRATE JUDGE

21 DATED: October 31, 2022